THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14547 of 2007

Dated: 09-07-2007

Between:

Chandanamudi Chengaiah.

..... PETITIONER

AND

The District Collector, Nellore, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14547 of 2007

ORDER:

The petitioner is statedly ex-serviceman. He was assigned land admeasuring Acs.2.38 in survey No.36/1 to 6 and Ac.1.22 in survey No.57/1 to 5 situated at Sarvareddykandirga Village, Sullurpet Mandal, Nellore District, vide D-Form patta in Dis.No.53/1407 F dated 23.06.1998. He is allegedly in possession of the land. It is further alleged that some of the villagers are trying to grab the land and they influenced second respondent, who is trying to dispossess the petitioner. He also alleged that on 30.06.2007, second respondent came to the land and directed him to vacate the land. Therefore, he filed instant writ petition, *inter alia,* seeking a direction to first respondent to take action against second respondent.

A perusal of paragraph 6 of the affidavit accompanying the writ petition shows that the main grievance of the petitioner is against some of the vested interests in the Village, who are trying to grab the land. If there is threat of dispossession from third parties, the remedy of the petitioner is to approach the Civil Court and obtain injunction, even though the land is assigned land. Insofar as the allegation made against second respondent is concerned, the learned Assistant Government Pleader for Revenue (Assignment) submits that second respondent has only inspected the land to know whether the land is assigned land or not. He denied the other allegations. The writ petition is filed on mere apprehension and the same is accordingly dismissed. No costs.

_____

(**V.V.S.RAO, J**)

09th July, 2007
ghn